

**House Study Bill 208 - Introduced**

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL BY  
CHAIRPERSON COWNIE)

**A BILL FOR**

1 An Act concerning live dog racing at pari-mutuel dog racetracks  
2 and including effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 99D.9A Dog racetrack licensure —  
2 simultaneous telecasts.

3 A licensee authorized to operate a pari-mutuel dog racetrack  
4 and to conduct gambling games pursuant to section 99F.6 as  
5 of January 1, 2011, may, upon written notification to the  
6 commission, discontinue scheduling performances of live dog  
7 races at the racetrack and maintain a license under this  
8 chapter for purposes of permitting pari-mutuel wagering on  
9 simultaneously telecast dog races.

10 Sec. 2. Section 99D.11, subsection 6, paragraph b, Code  
11 2011, is amended to read as follows:

12 b. (1) The commission may authorize the licensee to  
13 simultaneously telecast within the racetrack enclosure, for  
14 the purpose of pari-mutuel wagering, a horse or dog race  
15 licensed by the racing authority of another state. It is  
16 the responsibility of each licensee to obtain the consent of  
17 appropriate racing officials in other states as required by  
18 the federal Interstate Horseracing Act of 1978, 15 U.S.C.  
19 § 3001 - 3007, to televise races for the purpose of conducting  
20 pari-mutuel wagering.

21 (2) A licensee may also obtain the permission of a person  
22 licensed by the commission to conduct horse or dog races in  
23 this state to televise races conducted by that person for the  
24 purpose of conducting pari-mutuel ~~racing~~ wagering. However,  
25 arrangements made by a licensee to televise any race for  
26 the purpose of conducting pari-mutuel wagering are subject  
27 to the approval of the commission, and the commission shall  
28 select the races to be televised. The races selected by the  
29 commission shall be the same for all licensees approved by the  
30 commission to televise races for the purpose of conducting  
31 pari-mutuel wagering. The commission shall not authorize the  
32 simultaneous telecast or televising of and a licensee shall  
33 not simultaneously telecast or televise any horse or dog race  
34 for the purpose of conducting pari-mutuel wagering unless the  
35 simultaneous telecast or televising is done at the racetrack of

1 a licensee that schedules no less than sixty performances of  
2 nine live races each day of the season or that is not obligated  
3 to schedule performances of live races pursuant to section  
4 99D.9A.

5 (3) For purposes of the taxes imposed under this chapter,  
6 races televised by a licensee for purposes of pari-mutuel  
7 wagering shall be treated as if the races were held at the  
8 racetrack of the licensee. Notwithstanding any contrary  
9 provision in this chapter, the commission may allow a licensee  
10 to adopt the same deductions as those of the pari-mutuel  
11 racetrack from which the races are being simultaneously  
12 telecast.

13 Sec. 3. Section 99F.6, subsection 4, paragraph b, Code 2011,  
14 is amended to read as follows:

15 b. The commission shall authorize the licensees of  
16 pari-mutuel dog racetracks located in Dubuque county and Black  
17 Hawk county to conduct gambling games as provided in section  
18 99F.4A if the licensees schedule at least one hundred thirty  
19 performances of twelve live races each day during a season of  
20 twenty-five weeks. For the pari-mutuel dog racetrack located  
21 in Pottawattamie county, the commission shall authorize the  
22 licensee to conduct gambling games as provided in section  
23 99F.4A if the licensee schedules at least two hundred ninety  
24 performances of twelve live races each day during a season of  
25 fifty weeks. The commission shall approve an annual contract  
26 to be negotiated between the annual recipient of the dog racing  
27 promotion fund and each dog racetrack licensee to specify the  
28 percentage or amount of gambling game proceeds which shall be  
29 dedicated to supplement the purses of live dog races. The  
30 parties shall agree to a negotiation timetable to insure no  
31 interruption of business activity. If the parties fail to  
32 agree, the commission shall impose a timetable. If the two  
33 parties cannot reach agreement, each party shall select a  
34 representative and the two representatives shall select a  
35 third person to assist in negotiating an agreement. The two

1 representatives may select the commission or one of its members  
2 to serve as the third party. Alternately, each party shall  
3 submit the name of the proposed third person to the commission  
4 who shall then select one of the two persons to serve as the  
5 third party. All parties to the negotiations, including the  
6 commission, shall consider that the dog racetracks were built  
7 to facilitate the development and promotion of Iowa greyhound  
8 racing dogs in this state and shall negotiate and decide  
9 accordingly. However, the requirement to schedule performances  
10 of live races for purposes of conducting gambling games under  
11 this chapter shall not apply to a licensee who is not obligated  
12 to schedule performances of live races pursuant to section  
13 99D.9A.

14 Sec. 4. IOWA GREYHOUND RETIREMENT FUND.

15 1. A greyhound retirement fund is created in the state  
16 treasury under the control of the racing and gaming commission.

17 2. The fund shall consist of all of the following:

18 a. Moneys in the dog racing promotion fund created in  
19 section 99D.12 and the Iowa horse and dog breeders fund  
20 created in section 99D.22, that were deposited in those funds  
21 from a dog racetrack licensee that discontinues scheduling  
22 performances of live dog races pursuant to section 99D.9A.

23 b. Moneys credited to the fund from a dog racetrack licensee  
24 that discontinues scheduling performances of live dog races  
25 pursuant to section 99D.9A representing the remaining balance  
26 of all dog purse supplement payments owed by the licensee  
27 pursuant to an agreement approved by the commission.

28 3. Moneys in the fund shall be disbursed by the racing  
29 and gaming commission to registered Iowa greyhound owners and  
30 qualified adoption agencies approved by the commission in an  
31 expeditious and equitable manner as determined by the racing  
32 and gaming commission.

33 4. Section 8.33 does not apply to any moneys in the fund.  
34 Notwithstanding section 12C.7, subsection 2, interest or  
35 earnings on moneys deposited in the fund shall be credited to

1 the fund.

2 Sec. 5. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
3 immediate importance, takes effect upon enactment.

4 EXPLANATION

5 This bill concerns the conduct of live dog racing at  
6 pari-mutuel dog racetracks authorized to conduct gambling  
7 games.

8 New Code section 99D.9A allows a licensee authorized to  
9 operate a pari-mutuel dog racetrack and to conduct gambling  
10 games as of January 1, 2011, to discontinue scheduling  
11 performances of live dog races upon written notice to the  
12 Iowa racing and gaming commission, and to maintain a license  
13 under Code chapter 99D for purposes of permitting pari-mutuel  
14 wagering on simultaneously telecast dog races.

15 Code section 99D.11(6)(b), concerning pari-mutuel wagering  
16 on simultaneous telecasts of horse or dog races, is amended  
17 to allow a simultaneous telecast of dog races at a licensee  
18 in this state that is not obligated to schedule live dog  
19 races pursuant to new Code section 99D.9A. Under current  
20 law, simulcast telecasting of races can only be allowed at  
21 a racetrack of a licensee that schedules no less than 60  
22 performances of nine live races each day of the season.

23 Code section 99F.6(4)(b) is amended to allow the conduct  
24 of gambling games at a pari-mutuel dog racetrack that is not  
25 obligated to schedule performances of live races pursuant to  
26 new Code section 99D.9A.

27 The bill also establishes a greyhound retirement fund  
28 under the control of the racing and gaming commission. The  
29 fund shall consist of moneys in the dog racing promotion fund  
30 created in Code section 99D.12 and the Iowa horse and dog  
31 breeders fund created in Code section 99D.22 that are deposited  
32 in those funds from a dog racetrack licensee that discontinues  
33 live dog racing as provided by this bill. In addition, the  
34 fund shall also consist of moneys credited to the fund from  
35 a dog racetrack licensee that discontinues live dog racing

1 in an amount representing the remaining balance of all dog  
2 purse supplement payments owed by the licensee pursuant to  
3 an agreement approved by the commission. The bill provides  
4 that moneys in the fund shall be disbursed by the commission  
5 to registered Iowa greyhound owners and qualified adoption  
6 agencies approved by the commission in an expeditious and  
7 equitable manner as determined by the commission.

8 The bill takes effect upon enactment.